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February 22, 2022

By ECF and Email

Judge Loretta A. Preska,

United States District Court for the Southern District of New York,
 Daniel Patrick Moynihan United States Courthouse,
 500 Pearl Street, Courtroom 12A,
 New York, New York 10007-1312.

Re: *Aurelius Capital Master, Ltd., et al. v. The Republic of Argentina*,
 Nos. 19-cv-351-LAP, 19-cv-11338-LAP, 19-cv-9786-LAP,
19-cv-10109-LAP, 19-cv-10131-LAP (S.D.N.Y.)

Dear Judge Preska:

At the February 15, 2022 discovery conference, the Court ordered the parties to confer and jointly propose a revised discovery schedule by today. Regrettably, after some productive discussions, the parties have been unable to reach agreement on all issues.

The Republic of Argentina respectfully requests that the Court extend the discovery deadlines as set forth in the last column below. These proposed deadlines would grant the parties three months to complete document production (including negotiating and producing the new discovery ordered by the Court on February 15) and shorten other periods in the schedule to extend the overall schedule by less than three months:

Event	Original Deadline	Plaintiffs' Proposal	Republic's Proposal
Parties to complete document discovery by	December 15, 2021	April 29, 2022	May 13, 2022
Parties to serve Requests for Admission by	March 31, 2022	May 31, 2022	June 29, 2022
Parties to complete fact witness depositions by	March 31, 2022	June 30, 2022	July 29, 2022
Completion of fact discovery by	April 29, 2022	June 30, 2022	July 29, 2022
Parties to designate expert witnesses and serve Rule 26(a)(2) disclosures by	June 15, 2022	July 15, 2022	August 17, 2022
Parties to designate rebuttal experts and serve Rule 26(a)(2) disclosures by	July 29, 2022	August 19, 2022	September 30, 2022

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Event	Original Deadline	Plaintiffs' Proposal	Republic's Proposal
Parties to serve expert reply reports by	August 31, 2022	September 9, 2022	October 31, 2022
Completion of expert discovery by	September 30, 2022	September 30, 2022	December 16, 2022

Based on the competing proposals, the parties seem to agree that approximately three months of additional document discovery is needed from the February 15 hearing, for an overall extension of document discovery by about five months. As counsel for both parties explained at the hearing, the additional discovery ultimately ordered by the Court will require significant time and effort by the parties and their counsel. (*See, e.g.*, Conf. Tr. at 9–12, 17–18, 39.) Plaintiffs propose April 29 for the close of document discovery, while the Republic proposes May 13, which the Republic views as the minimum period realistically needed to substantially complete new collections and review of documents from multiple agencies across the Argentine government.¹

The remainder of the Republic's proposed schedule generally shortens or maintains the periods of time previously agreed by the parties and ordered by the Court for each phase of discovery. Specifically, the Republic's proposal *shortens* the periods for:

- (i) fact depositions (3 months to 2.5 months);
- (ii) completion of third-party discovery and other post-deposition fact discovery (1 month to 0 months); and
- (iii) preparation of opening expert reports after the end of fact discovery (1.5 months to 2 weeks).

At the same time, the Republic proposes to *maintain* the periods of time currently in the schedule for serving rebuttal expert reports (1.5 months) and reply expert reports (1 month).

Finally, the Republic proposes adding just over two weeks to the original one-month period for expert depositions to account for the Thanksgiving holiday, and for a four-week trial in London of the GDP warrants matters scheduled for October 24 to November 18. The Republic's legal team in these cases will participate in the U.K. trial. The schedule set forth above represents a significant compromise of the Republic's initial proposal to simply move all dates (other than document discovery) back by four months.

¹ While the Republic originally sought an extension of the document production deadline to March 15, 2022 (*see* Aurelius ECF No. 76-16), this request sought to account for Plaintiffs' failure to substantially complete their own document productions by the original December 15, 2021 deadline and not for the additional document collections ordered on February 15.

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Rather than accept this compromise, Plaintiffs propose to further curtail the periods for conducting critical stages of discovery beyond the reductions already proposed by the Republic. Specifically, Plaintiffs propose (1) shortening the time for fact depositions by a full month (instead of the two weeks proposed by the Republic), (2) shortening the already-brief periods for rebuttal and reply expert reports by two weeks each (reducing them to five and three weeks, respectively), and (3) reducing the time for expert depositions—of an unknown number of experts—to just three weeks.

Plaintiffs have not identified any substantive reason for these departures from the time periods that the parties previously agreed and that the Court ordered, other than avoiding an extension of the date on which expert discovery closes. While willing to shorten some existing discovery periods, the Republic believes that it will be substantially prejudiced in defending this case if Plaintiffs' even more compressed schedule is adopted.

Because the schedule proposed by the Republic is a reasonable compromise, particularly in light of the additional discovery that the Court ordered from both parties, the Republic respectfully requests that the Court revise the discovery schedule in accordance with the dates listed in the last column above.

Respectfully,

/s/ Robert J. Giuffra, Jr.
Robert J. Giuffra, Jr.

cc: Counsel of Record